



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION
CITY VIEW PLAZA II, SUITE 7000
GUAYNABO, PUERTO RICO 00968-8069

OCT 08 2015

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Michael Spector
PO Box 1879
Dorado, Puerto Rico 00646

**Re: Administrative Compliance Order
Docket Number CWA-02-2015-3110
Palmas de Cerro Gordo Development Pump Station
NPDES Tracking Number PRU020631**

Dear Mr. Spector:

This letter is in reference to the non-compliance status of the Administrative Compliance Order (ACO) CWA-02-2015-3110, issued by the Environmental Protection Agency (EPA) on April 29, 2015. The ACO was issued for discharging pollutants from the Palmas de Cerro Gordo Development Pump Station into waters of the United States without NPDES permit coverage in violation of the Clean Water Act.

Although we have confirmation that you received the ACO on May 4, 2015 and had met with, EPA, on June 10, 2015, giving you the opportunity to confer, we have not received a response on certain Ordered Provisions. These Provisions have a limited time frame and the term to respond has expired. The ACO ordered, among other provisions, to immediately cease and desist the discharge of pollutants to the waters of the United States, and submit a Compliance Plan to make the necessary repairs and fixes to the Pump Station to correct the overflows and to prevent this situation from recurring. EPA are still receiving complaints from concerned citizens of Palmas de Cerro Gordo Development indicating that overflows are still occurring to date. **Therefore, you need to submit this information immediately.**

We remind you that failure to comply with the ORDER may subject you to civil and/or criminal penalties pursuant to Section 309 of the Act. It may also subject you to ineligibility for participation in work associated with Federal contracts, grants, or loans.

EPA is requiring that an authorized representative shall appear at 1:00 p.m. on Wednesday, October 21, 2015 at EPA's Caribbean Environmental Protection Division in City View Plaza II, Suite 7000, Guaynabo, Puerto Rico, to show cause before the Regional Administrator or his designee, why EPA should not refer you to the United States Department of Justice for commencement of civil and/or criminal penalties as provided for by Sections 309(b), (c) and (d) of the CWA, 33 U.S.C. § 1319(a), (b) and (d).

We urge your prompt attention to this matter. If you have any questions, please have your staff contact Mr. Jaime López, of the Multimedia Permits and Compliance Branch, at (787) 977-5851.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jose C. Font". The signature is stylized with a large initial "J" and a circular flourish.

Jose C. Font, Director
Caribbean Environmental
Protection Division

cc: Wanda Garcia, EQB